

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**At Charleston**

**MAYA NYE, et al.**

**Plaintiffs,**

**v.**

**Civil Action No.: 2:11-CV-00087  
Judge Goodwin**

**BAYER CROPSCIENCE, L.P.,**

**Defendant.**

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**ORDER**

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Counsel and the parties in this matter appeared before the Court on the 18th day of March, 2011, at 11:00 a.m. At that time, counsel for the defendant, Bayer CropScience, L.P., informed the Court that it had decided not to restart the MIC unit at its facility in Institute, West Virginia, and that it has permanently ceased the production, use, and storage of methyl isocyanate at Institute, West Virginia.

It appearing to this Court that no issue now exists relating to plaintiffs' Motion for a Preliminary Injunction, that motion is hereby denied as moot.

Counsel and the parties are directed to proceed with respect to any other pending matters and any remaining allegations in plaintiffs' Amended Complaint pursuant to the applicable Federal Rules of Civil Procedure, Local Rules of the United States District Court for the Southern District of West Virginia, and further orders of this Court.

The bond previously posted in this matter by Plaintiffs in the amount of \$10,000.00 shall be returned to Counsel for Plaintiffs forthwith.

ENTERED this \_\_\_\_ day of March, 2011.

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HONORABLE JOSEPH R. GOODWIN

Presented by:

/s/ A. L. Emch

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